

**Final Minutes  
Exeter Board of Selectmen  
April 25, 2016**

**1. Call Meeting to Order:**

Chairman Dan Chartrand called the meeting to order at 6:45 pm in the Nowak Room of the Exeter Town Offices building. Other members present were Vice Chair Julie Gilman, Selectman Don Clement, Selectwoman Nancy Belanger, Selectwoman Anne Surman. Town Manager Russell Dean was also present.

**2. Board Interviews:**

The Chair announced that the Board was moving to the Wheelwright Room to conduct interviews, which occurred at 6:46 pm. [The interviews were not included in these minutes at the decision of the Chair.] The Board returned to public session in the Nowak Room at 6:57 pm for the regular session.

Chair Chartrand announced that the Board had conducted interviews of highly qualified candidates for Conservation Commission and Historic District Commission, which the Board would take up in a few weeks.

The Chair then raised an issue of the election of the Board Chair at the last session, regarding the process which may not have had a proper second of the nomination of Mr. Chartrand as Chair. He requested that the Board conduct the election again, which was done by Vice Chair Ms. Gilman. Ms. Gilman asked for anyone who is interested in Chair, to put their name on the table. Mr. Chartrand stated that he was interested in serving as Chair. Mr. Clement discussed the process and stated that he saw no reason to put his name on the table for Chair again. Ms. Belanger moved to elect Mr. Chartrand as Chair and Mr. Clement seconded. There was no discussion and the vote was unanimous to elect Mr. Chartrand as Chair. Chair Chartrand thanked Mr. Clement for identifying the issue early so as to avoid possible greater problems over time.

**3. Bid Awards:**

The Chair said that Great Dam Removal Project and Line Marking Project are on the agenda tonight. Mr. Dean stated that Line Marking is not being heard tonight. The Chair postponed that matter.

**a. Great Dam Removal Project:**

The Chair stated that the bids for this project were opened a week ago with himself, the Vice Chair, the Town Manager, the Town Engineer, Paul Vlasich and two of the bidders present at the opening.

Paul Vlasich, Town Engineer presented the bid situation, stating that all interested contractors were pre-qualified, based on an RFQ issued in February, then advertised. There was a qualification meeting. In Mid-March there were 7 requests for bid packages submitted and 5 of the contractors were deemed qualified after review. There was a mandatory pre-bid meeting and 3 contractors appeared for that and all submitted bids on April 18<sup>th</sup>. The bid process was broken up into components of the base bid of dam removal and stream restoration, with alternatives identified for the water intake at the Phillips Exeter Academy ("PEA") property, deemed Alternative 'A', and Alternative 'B', to return to the River next year and shift rocks that

may have moved due to flows, etc., as required by the Wetlands Program. And Alternative C added a dry hydrant at the end of Franklin St.

There is not enough money to cover the base bid plus all the alternatives, only the base bid plus stream restoration and the first year of activities> There are requirements for fish monitoring through Section 106-Cultural Resources Division The remaining money will cover the base bid and the first year activities only. The rest of the Sect 106 monitoring requirements and Alternatives will be an additional \$150K more than is currently budgeted. Alternative C, the dry hydrant, will be an additional \$154,000 and the Fire Department is in agreement that we do not need to do that at this time. The packet materials explain all this.

The recommendation is to award the bid to SumCo Eco-contracting, LLC, as low bidder at \$873,900, to cover the base bid and first year activities, per the submission. If the Town can find the extra money, through grants or otherwise, we would like to do the rest too, but can't at this time, as explained in the material.

Ms. Surman inquired about the low bidder's experience and Mr. Vlasich responded that they were properly pre-qualified and highly recommended by both VHB and NOAA. There was then discussion on how the money overage occurred, which involved items not part of the original scope of work. That discussion then moved to the dry hydrant and Mr. Vlasich said the Fire Department concluded that it would be fine without it for now, as a skimmer at the boat launch area, where suction isn't on bottom of river, would be okay.

Ms. Gilman stated that the remaining work excluding dry hydrant, Alts A and B and stream adjustments as well as Sect 106 stipulations are all things that we have to get funding for as they are requirements. Mr. Vlasich agreed.

The Chair then asked if there was any public input.

Harry Thayer, Liberty Lane - raised a question on the total amount available. Discussion resolved that the presented amounts were part of the existing grant, except for the excepted alternative amounts as discussed. Mr. Thayer then asked about monitoring the fish flow. Who for, how long do it and cost to taxpayers? Mr. Vlasich responded that it is referred to as the "fish cage". Early in the NOAA grant process, it became clear they needed to have fish counts using a fish cage and they asked us if we could come up with one and we believe we could by this time next year. Not sure if it is to be permanent, but Fish and Game will do some future fish counts after the first year.

[There was no further public comment.]

Mr. Dean stated that the Town is going to keep those alternatives, especially the water intake component, on the list of things that need to be done. Mr. Clement then moved that the Town award the dam removal and stream restoration project to low bidder SumCo Eco-contracting, LLC, for \$873,900. Ms. Gilman seconded the motion. There was no further discussion, and the motion passed unanimously.

[The Line Marking bid matter was postponed.]

#### **4. Public Comment:**

Town Clerk Andrea Kohler stated that the last day to register dogs is April 30th, but it's a Saturday, so this Friday, April 29<sup>th</sup>, is the last day. This can be done during regular business hours of 8:15 am to 4 pm, or online at [ExeterNH.gov/Town Clerk](http://ExeterNH.gov/Town Clerk). Also, Apr 30<sup>th</sup> is the last day to

submit entries for the Top Dog Contest, so those too must be in by Friday. Lastly she stated that the Town Clerk's Office is considering changing office hours. There's a survey on our website for that. Please let the Clerk know, which you can do online at: [ExeterNH.gov/Town Clerk](http://ExeterNH.gov/Town Clerk). The survey will be online until the end of June.

[There was no other public comment]

## **5. Minutes & Proclamations:**

a. [There were no proclamations]

b. Minutes of April 11, 2016:

Ms. Gilman said one thing needed to be clarified, at page 3, second paragraph, where Ms. Bryant is speaking, not sure what the reference to "local" was. The Chair stated it was a reference to buying local. There was discussion on the policy of buying locally if all things are equal and it was decided to amend the minutes there to state "local focus"

Ms. Surman identified a typo at page one: 'the' to 'he'

Hearing no other amendments to the minutes of 4/11 or discussion of them, the Chair asked if there was a motion to approve those minutes. Ms. Gilman moved approval as amended and Ms. Belanger seconded. The motion passed unanimously.

## **6. Appointments:**

The Chair stated that appointments will be taken up later on the agenda.

## **7. Discussion/Action Items:**

a. New Business:

i. Recreation Park Concept Plan Presentation:

Mr. Dean stated that the town has been working with Parks/Rec on needs assessment from 2014, regarding discussions for updating the Rec Park, which has been part of the Master Plan from 2002. UNH identified needs in a report. He made a disclosure that he serves as a coach in one of the leagues and sits on that league's board.

There was a presentation of the proposal for the Rec Park improvements pursuant to the packet of information provided to the Board by Mike Favreau, Director of Exeter Parks and Recreation. There was approval for \$15K to study the recreation park and whether the 8 acres was usable. The original rec building dates to 1848. In 1985 it was converted to Rec use. Building issues include no gym space, no handicapped access, lack of sports storage, lack of space for grounds-keeping equipment, which is under a canvas tent. The needs study of 2015 showed Parks and Rec building was inadequate and the Dept. needed more space. Parks and Recreation is second only to the schools as a reason that people come to Exeter and/or stay here if already here. The current building is assessed at \$462,400, the land 118,800, and the total is \$581,200. The pictorials indicated the area, acquired in 1974, as 26 acres total, and about 8 acres undeveloped area. The pool needs work, the tennis courts have been completely redone. Playground needs upgrades. Parking is a huge issue

on weekends especially, due to changeovers. Summer parking is at a premium-gridlock parking. There's a shortage of good field space in Exeter. These all drive upgrades needed. 90% of responses were in favor of field and playing space as important to very important. [There was then discussion of 1974-79 value/costs.]

The UNH study stresses improvements to maintain partnerships in community. Rec/Parks is looking to partner with other groups where all would benefit. All tolled there are 3,157 children participating and that's greater than the high school and middle school combined. Camps sell out very quickly, in just hours or sometimes minutes. The vast majority are at Rec Park, nearly a thousand kids. The department moved to a revolving fund in 2005, all revenue in/all expenses out. He presented the lists of expenses and improvements that came out of the revolving fund over the years, just under \$400,000. This proposal is for a much needed expansion. He presented the various proposed changes/additions and upgrades to implement. Included are a lighted baseball field for tournaments with an amphitheater seating, a multipurpose turf field which has an advantage of extended period of use seasonally, for about 11 months. Parking would be increased by 75 spaces. Two tennis courts would be lost due to adding in needed water and sewer.

Various aspects of the proposal were discussed. The playground is not on town property-that would have to be addressed. The playground is 18 years old. There was then discussion on the status of the playground and equipment, that it wouldn't last another 20 years. The building needs a gym due to program needs. Want to expand senior citizen programs there, into a multipurpose area. The gym takes up a big chunk of the proposed facility, with an office area, multipurpose area (which would be ideal for senior citizen programs. He discussed outside renderings and changes and presented a breakdown of the high cost, with the biggest amount for site work and driveway/parking at \$850K. The turf field is \$1.5 million, the baseball field is \$550k, the spray pad/pool deck is to be relocated at \$50K, utilities at \$350K, other improvement costs, with whole site development at \$4 million and the building at \$3.9 million, so about \$8 million total.

As for paying for it, bonding is possible, the Land and Water Conservation Fund, major league baseball and other groups, impact fees of about \$100-150K. We would have engineering and design work to do. Impact fees are at about \$36K now, but projects in the works might increase that to just under \$200K in rec impact fees that could be used for engineering, etc. We could consider sponsorship/naming rights, which we are aware can be controversial, but we should explore it. Other means might be public/private partnerships, donations. If it were bonded without any grants or anything, it would be about \$128 per year assessed to each taxpayer.

Next step is to work with groups and this board to tweak plan, address phasing issues, and CIP preparation for Planning Board review. We want to do all that and then report back to the board later in summer.

Wayne Demers, with Exeter Youth Lacrosse Association then stated that they have been working with Park/Rec for 15 years, spend \$15K per year renting other folks' turf space, but would rather put it toward this project. The season is short. We have 50 youth with Park/Rec and 350 kids from SAU towns, but it's growing every year.

Mike LaNigra, President of Exeter Junior Baseball and Softball League stated that they have 468 kids from five communities, use 11-12 fields, with 100% softball/baseball use, by 40 softball teams. We lost Walsh Field for parking. Mr. Clement initiated some discussion on Walsh Field and its loss for playing. Mr. Thayer said it seems that the school is reneging on

the Walsh Field situation and then asked about another new gym, as there are 8 already in town.

[There were no other public comments.]

Mr. Dean: then gave some supportive comments and perspectives. There was then discussion on the 8 acre piece and the loss of the tennis courts as well as the track program and amphitheater aspect. Ms. Gilman stated that it all comes back to funding. Mr. Clement suggested the project be phased over years. There are other expensive costs. There was discussion on the new gym component and other elements. There was also discussion on the cost of phasing the project over years, with it adding significant additional financing costs probably close to \$1 million if delayed three years. Chair Chartrand thanked all participants, then commented that in a low interest environment as now, it might be a smart play to do it all at once given interest rates but that was something to be worked out. He stated the board would like to see this matter back in July for more progress.

ii. 2016 Paving Proposal-Bell & Flynn-packet letter from DPW and Bell & Flynn

Mr. Dean stated that the proposal is for a one year extension of the current paving agreement. There are three categories. Main surface course work at \$69.90/ton, which is the main component, the surface course would be \$1/ton higher than that and the downtown surface course would remain at \$71.90/ton from 2015. The paving plan is attached and it's proposed to do a number of streets around the town, in addition to Water and Front Streets.

The Chair asked for any board comments. Mr. Clement responded that the town has been many many years working with Bell & Flynn, they are in town, satisfactory work done with great pride.

[There were no other board comments.]

Mr. Clement moved to award the contract to Bell & Flynn for bituminous concrete paving at the prices stated. The motion was seconded by Ms. Surman. The motion passed unanimously.

The Chair asked if there was any discussion and Ms. Gilman responded that they needed an end date. Mr. Dean suggested May 1, 2017. Mr. Clement amended his motion to add the date of May 1, 2017, and Ms. Surman amended her second as well. The motion passed unanimously.

iii. Board/Committee Appointments

The Chair explained that the expiring board appointments are effective as of 4/30. He discussed the appointment sheet format and the Conservation Commission's documentation and its explanations. The Chair then asked that appointments tonight be motions and seconds where there is only one applicant. If there are two applicants, there should be nominations and then majority votes on that, then appointment motions on those.

There was discussion on possibly holding off on the Planning Board appointments because those applicants want to discuss it amongst themselves. One might be satisfied with the alternate position. The Chair pressed for moving it forward. Others agreed with holding off on the appointment. There should be written recommendations from the other boards. There was clarification that the Selectmen

appoint the members of those boards and that it will hold off any final decisions for two weeks but both applicants will appear before the Select-board at that time for consideration and a decision. There was discussion on the amount of time the ConCom put in on its recommendations and that the Planning Board was likely to do the same thing later this week. The Chair then ruled that the Selectmen would proceed tonight on all appointments except the full member term expiring April 30th 2019 being vacated by Ken Knowles.

The Chair stated that the spread sheet of potential volunteers that the board-members have is a list of people who have assented to serve in those positions. He then entertained motions for appointments starting with the Arts Committee. Ms. Belanger moved the following appointments, seconds following each name and position below, all without discussion unless noted below:

Arts Committee, for full member term expiring Apr 30, 2019: Marissa Vitolo. Mr. Clement seconded. The appointment was approved unanimously.

Arts Committee, for full member term expiring Apr 30, 2019: Karen Noonan. Mr. Clement seconded. The appointment was approved unanimously.

Conservation Commission, for full member, term expiring Apr 30, 2017: Alyson Eberhardt. Ms. Gilman seconded. The appointment was approved unanimously.

Conservation Commission, for full member, term expiring Apr 30, 2018: Bill Campbell. Ms. Gilman seconded. The appointment was approved unanimously.

Conservation Commission, for full member, term expiring Apr 30, 2018: Virginia Raub. Mr. Clement seconded. The appointment was approved unanimously.

Conservation Commission, for full member, term expiring Apr 30, 2019: Andrew Koff. Ms. Gilman seconded. The appointment was approved unanimously.

Conservation Commission, for full member, term expiring Apr 30, 2019: Carlos Guindon. Mr. Clement seconded. The appointment was approved unanimously.

Exeter Economic Development Commission, for full member, term expiring Apr 30, 2019: John Mueller. Ms. Gilman seconded. There was discussion on the length of term for this position. The appointment was approved unanimously.

Exeter Economic Development Commission, for full member, term expiring Apr 30, 2019: Dan Gutstein. Ms. Surman seconded. The appointment was approved unanimously.

Exeter Economic Development Commission, for full member, term expiring Apr 30, 2019: Ian Smith. Ms. Surman seconded. The appointment was approved unanimously.

Exeter Housing Authority, for full member, term expiring Apr 30, 2021: Pam Gjetum. Ms. Surman seconded. The appointment was approved unanimously.

Exeter Housing Authority, for full member, term expiring Apr 30, 2021: Renee O'Barton. Ms. Surman seconded. The appointment was approved unanimously.

Exeter Planning Board, for full member, term expiring Apr 30, 2018: Gwen English. Mr. Clement seconded. The appointment was approved unanimously.

Rockingham Planning Commission, for alternate member, term expiring Apr 30, 2019: Langdon Plumer. Mr. Clement seconded. The appointment was approved unanimously.

Water and Sewer Advisory Committee, for full member, term expiring Apr 30, 2019: Jim Tanis. Mr. Clement seconded. The appointment was approved unanimously.

Zoning Board of Adjustment, for full member, term expiring Apr 30, 2019: Laura Davies. Ms. Gilman seconded. The appointment was approved unanimously.

The Chair stated that the other full member Planning Board Appointment would be taken up at the next meeting.

Mr. Clement raised an appointments issue regarding committee members who miss 60% of their board's meetings that they may be asked by the Selectboard to step down. The Planning Board moved its chair write a letter to the Selectmen regarding that issue. The Chair said it had not and that they will await that correspondence from the Chair of the Planning Board.

Ms. Gilman then pointed out that the Heritage Commission position appointment wasn't addressed. She moved to appoint Peter Smith as a regular voting member of the Heritage Commission for a term ending Apr 30, 2019. Mr. Clement seconded. The appointment was approved unanimously.

**b. Old Business:**

i. Lease/Purchase Resolution-Vehicles

Mr. Dean stated that what is needed from the board is Schedule No. 05, Exhibit E, Lessee Resolution, to be read into the minutes by an officer or member of the board for vehicle purchases under Article 21.

Ms. Belanger, Clerk, then read the full resolution into the record and it is hereby fully incorporated herein by reference to the Selectboard's session packet for 4/25/16, at page E-1, but modified to be dated 4/25/16, per discussion of the board.

There was discussion on whose name goes on which lines and that was clarified by Mr. Dean, who is the "authorized individual(s)" to be listed on both lines under Section 2 of the resolution.

Ms. Gilman made a motion to approve and adopt Schedule 05, Exhibit E, Lessee Resolution of the Master Lease Purchase Agreement dated as of October 1, 2011 between Tax-Exempt Leasing Corp. as Lessor and the Town of Exeter as Lessee, as read into the record in full this evening and referenced above, and to authorize the Town Manager to sign the document as required. Ms. Surman seconded it. After discussion on signatories, Ms. Gilman amended her motion to add "and the Chairman of the Board of Selectmen to also sign the resolution document as necessary." Ms. Surman amended her second in accordance with the amended motion. There was no further discussion. The motion was approved unanimously.

Mr. Dean advised that the leases that the board does are pursuant to the Master Lease Agreement with Tax Exempt Leasing Corp and this is an FYI on that-these resolutions simply add vehicles to that prior list.

Mr. Clement then raised two more items under old business: first, an abatement request with an opinion of counsel, and members of the board wanted to see that opinion. The Chair responded that he is bringing that matter up later under new board calendar matters, so Mr. Clement deferred. Secondly, he inquired about the status of the annual Town Manager evaluation. The Chair stated that the TM's self-evaluation is done and he is moving to distribute that to the board on Friday, 4/29 in confidential sealed envelopes, and it should come back to the Chair on Friday, May 13, 2016.

[There was no further old business.]

## 8. Regular Business:

### a. Tax, Water/Sewer Abatements & Exemptions

Ms. Belanger, as Clerk, moved the following list item by item, as set forth in the Selectboard's packets for April 25, 2016, and the respective matters were seconded as noted below. There was no discussion on any motion unless specifically noted below and all matters without discussion passed unanimously per the motions and votes taken thereon:

#### Disability Exemptions:

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
103/13/1	1 Deep Meadows	\$125,000	Mr. Clement
32/12/29	29 Beech Hill MH Park	Denied	Ms. Gilman
95/64/318	46 Hilton Ave	\$125,000	Ms. Gilman

Veteran's Credit:

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
52/58	Leary Ct	\$500	Mr. Clement

#### Abatements:

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
103/13/11	11 Deep Meadows Pk.	\$1040.46	Mr. Clement

There was board discussion on this matter, Mr. Clement stated that there are seven requests in this list for this same unit. The Chair asked Mr. Dean for any input and Mr. Dean stated that he could not speak to it and suggested that the board hold it without a decision until it can be looked into for more information. The Chair then asked that the motion to approve and the second be withdrawn. Ms. Belanger withdrew her motion and Mr. Clement withdrew his second. Mr. Dean stated that the reason for seven entries might be multiple uses or new qualifying event(s) for certain exemptions or abatements. [These seven matters were then held by the board without further action until more information could be provided.] The Clerk then continued with the list of motions:

#### Abatements (continued):

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
85/47	Ridgewood Terrace	\$418.86	Ms. Gilman

Elderly Exemptions:

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
104/79/108	108 Robinhood Dr.	Denial	Mr. Clement
104/79/808	808 Nottingham Dr.	\$152,251	Ms. Gilman
104/79/605	605 Canterbury Dr.	\$152,251	Ms. Gilman
74/15	212 Front St	\$152,251	Ms. Gilman

Jeopardy Taxes:

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
55/45	11 Allard St	\$2788.97	Ms. Gilman
54/6/2	48 Oak St Extension	\$896.45	Ms. Gilman

Jeopardy Taxes (continued):

<u>Map/Lot/Unit:</u>	<u>Location:</u>	<u>Amount:</u>	<u>Second by:</u>
103/13/11	11 Deep Meadows Pk.	\$40.87	Ms. Gilman

b. Permits & Approvals:

Chair Chartrand asked for motions and Ms. Gilman moved that the board grant the request by Donna Cisewski, Human Resources Director, to use the Town Hall main floor on October 5, 2016, from 10 am to 2 pm for a Health and Benefits Fair. Mr. Clement seconded the motion. There was no discussion and the motion passed unanimously.

c. Town Manager's Report

Mr. Dean reported good news on the downtown sidewalk project, progress continues. He also met with colleagues from Durham, Newmarket and Stratham, and there is to be a joint intern for this summer to be shared by all four towns, on one day per week and they will figure out the fifth day. It will look into the cost of joint purchasing, assessing functions and the like.

Mr. Dean then advised that on 4/21 he attended the groundbreaking for the PEA for its new arts center. Also on 4/21 the water & sewer rate study was commenced and it was a long session with MSFG consultant. They are looking for input on it, regarding anything including tier grade system and impact fees to billing and the capital program going forward, the amounts that are paid in the various tiers: one, two, three; challenges with master meters on multiple buildings and such. They discussed PEA as the largest customer and what they bring to table and the diversity of accounts there. For upcoming events, there are the following:

- 4/29: HealthTrust meeting in concord
- 4/30: Goal setting session with the board
- 5/2: 24 front street Chamber of Commerce Business Loft 5-7 pm open house, all invited.
- 5/5: Ribbon cutting at St Vincent DePaul-10 am for facility opening
- 5/7: Kid's Day at Swasey Parkway

The other report is the opening of Lexie's in a few weeks.

#### d. Selectboard's Committee Reports

The Chair stated that he had asked that a report prototype for committee reports be in the packets to be used for written reports and it will be standard from now on. Use it if you want to submit reports ahead of time. For paper submissions, they are needed by the Friday before any given session, by 1:30-2 pm. Mr. Clement then initiated discussion on a possible electronic template and the Town Manager said they will provide one so they can be done and submitted electronically.

Mr. Clement gave his report on the activities of the Planning Board, which had conditionally approved the PEA south campus plan on final relocation of tennis courts, performing arts center, existing cage, new field house and parking. The approval went through for drainage, site plan and for a sidewalk from Court Street to Chadwick St and that will be in there.

He reported that the Rockingham Planning Commission met last week with a discussion from the coastal group on: sea level rise, a draft report was in Selectboard mailboxes. If any comments on that, please get them in to Cliff Sinnotte. The matter is still open for comments for a while yet. This week the Planning Board will meet and discuss the Master Plan Steering Committee with 12 candidates for that Committee and there will be board-members on that Steering Committee as well.

Ms. Gilman then asked if this board should appoint a member to that Steering Committee as well. Mr. Clement advised that he is already a member and Chair Chartrand made a motion that the Vice Chair, Julie Gilman, be the Selectboard's representative on the MP Steering Committee. Ms. Belanger seconded the motion. There being no discussion, it passed unanimously.

Ms. Gilman reported that the Heritage Commission met at the Historical Society and HDC had a number of applications for membership and there were 2 projects by Phillips Exeter Academy, one for a new cross walk on Front St, which is a great idea, with laser projection at bollards and a flashing light for pedestrians to alert traffic to crossing pedestrians. Also, the second project is the Tattersall House, which is the little white house that is on Water Street, it has been decrepit for a while now and the PEA is going to be refurbishing it for their future home for the summer School Program. The American Independence Museum wants to put in a new stair from Water St up to the museum and the area with railroad ties holding soil back will all become a formal stair case with landings.

Ms. Belanger reported on the Housing Committee meeting on 4/8. There is a charge to discuss information from the Town Planner regarding rental averages. They will look at all of it broadly and are meeting next on May 13 at 8:30 am.

Ms. Surman reported that the Conservation Commission held a discussion on April 12 regarding the board's reorganization and the trails committee regarding construction and there will be an upcoming open forum on progress and impacts. There is also a seacoast regional conservation group that meets once a month, next one is 6/13 at 8:30. Someone will be going to that to learn what other communities are doing. Also, on 5/4 Exeter High School will host a free public forum on healthy lawns. The next ConCom meeting is 5/10.

Ms. Gilman added one last item, regarding the old boards meeting, where they had talked about finding educational opportunities for board and commission member. She saw something on National Association of Preservation Commissions and they are having a single day training session for boards and committees. Only \$95 but in Wisconsin on 6/2.

The Chair reported that he met with the Economic Development Commission on 4/12, bulk of that meeting was the same report that this board heard the night before. He did attend the PEA groundbreaking which was very impressive. It was attended by Ms. Gilman, Town Manager, the Town Planner, Doug Eastman, Exeter CEO, and himself. Nice words about their relationship with the Town were said and it was nice to hear that. He said he also attended a League of Conservation Voters session on 4/21 related to solar projects in town, facilities reports to tighten up energy usage. Derry has a town energy use committee and that would be great to do here. I will also make a public commitment to Ms. Belanger to move quickly to finish populating the Exeter Housing Committee.

Mr. Dean raised the Downtown Economic Development Session last week, and the Chair replied that he had attended it with Selectman Clement and it was very well attended, with a lot of good input about the downtown and initiatives/hopes and desires were discussed, in terms of it being the town's "front porch." There are sessions every two weeks and the next one is 5/4 at 6 pm with a topic of Portsmouth Ave.

Mr. Dean reported that he has gone around town with the Planner and seen needs and improvements and are identifying them for the Planning Board's CIP.

Mr. Clement then added TM and he had gotten a notice today that WISER, received an environmental merit award from the EPA for preserving the environment, which will be awarded on 5/10 in Boston at Faneuil Hall. The group is diverse with state and community members from Exeter, Stratham and Newfields. He wanted to specifically recognize Exeter contributors: Jennifer Perry, Paul Vlasich, Former Planner Sylvia Von Allen, and Kristen Murphy, and hopefully was not forgetting anyone from Exeter. They all played an important role in gaining the EPA award.

[There were no other committee reports]

e. Correspondence:

The Chair stated the Town received a letter from Big Brothers/Big Sisters thanking it for the donation that was approved in March. There was also a letter from Margaret Matick who is stepping down from the ConCom.

**9. Review Board Calendar:**

The Chair reminded the board that there is a meeting this Saturday at 9 am in Town Hall for a goal-setting session. Next Monday, 5/2, I want to schedule a non-meeting meeting to discuss our attorney's opinion on the Riverwoods abatement matter. Since the COC meeting starts that night at 7 pm, he suggested the board meet at 6 pm so as to attend that later. This meeting would be to review the attorney's opinion but not to discuss it. If all available, I would ask our attorney to attend that evening on a different topic.

Mr. Clement stated that he respectfully disagrees since the board is the approving authority so he doesn't see that a non-meeting meeting is warranted. [There was then discussion on the process.] The Chair stated that this is how it is being handled and he appreciated the input. Ms. Surman then stated that she wanted to see the opinion beforehand. The Chair asked the TM about the process. Mr. Dean responded that the opinion is privileged information and if board-members want to see it, that's fine but it can't be disseminated as it is attorney/client privilege. The Chair stated that he is being careful not to waive that privilege in this matter. Mr. Clement said the statute is very clear on board waivers of abatements. The

Chair responded that there is going to be a 'non-meeting meeting' and he hoped that all can attend. He will take all opinions under advisement and see if he can disseminate that opinion to the member before that meeting.

Ms. Surman asked if it's to be a non-meeting meeting, will there be a public meeting following it? The Chair said that it's to get information to the board without the privilege being waived. Ms. Surman stated that if this board wanted a legal opinion, it should have asked TM to get a legal opinion, but now she feels the board is "behind the 8-ball." The Chair stated that he understood but doesn't know if he agrees with that. [There ensued some discussion to clarify positions on the matter.] The Chair then asked who could make the Monday meeting. Mr. Clement said he wasn't sure and would let the Chair know. The remaining members all stated that they could attend. There is another Selectboard meeting the following Monday 5/9 at 7 pm.

Mr. Clement then made a request under general items to review the employee vehicle use policy. The Chair said it will be soon but perhaps not on 5/9.

Ms. Gilman stated that there needs to be a review of the board's policies and procedures soon as well.

#### **10. Non-Public Session:**

[There was no non-public session this evening.]

#### **11. Adjournment:**

There being no further business that evening, the Chair asked for a motion to adjourn, which was made by Ms. Belanger and seconded by Ms. Gilman. The session was adjourned at 9:46 pm by unanimous vote.

Finalized by unanimous approved by the Board of Selectmen at its regular session held on May 9, 2016.

Respectfully submitted by David Pancoast, Recording Secretary.